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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,435	12/15/2003	Janet L. Schorr	06576.105133	3420

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EXAMINER

LIU, JONATHAN

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 05/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/736,435

Applicant(s)

SCHORR ET AL.

Examiner

Jonathan Liou

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/15/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/15/2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: Relationship is misspelled as R relationship on line 24 of page 15.

Drawings

2. Appropriate correction is required. The drawings are objected to under 37 CFR 1.83(a) because they fail to show 101 as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required

corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1- 9, and 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Mackinlay (Developing Calendar Visualizers for the Information Visualizer, Nov.2-4, 1994).

5. In regards to claim 1, Mackinlay shows a spiral visualization calendar includes all of the limitations recited in the claim. See Figure 3 and page 114 of the Mackinlay reference. He shows that the subregion is generated by selecting the portion of the existing calendar, and the Call-Out class in Mackinlay reference provides the dynamically-linking the subregion of the calendar and the existing calendar. Furthermore, It is well known the calendar and the timeline serve the same meaning and functionalities.

6. In regards to claim 2-4, Figure 3 of the Mackinlay reference shows at least one data item from the portion of the spiral visualization calendar is added to the subregion of the calendar. Figure 3 shows that the data item is associated with a first location on the existing calendar and the first location is associated with a first time, and adding at

least one data item to a location on the subregion of the calendar corresponding to the first time. Figure 3 also shows a milestone data item and time interval data item on the spiral visualization calendar.

7. In regards to claim 5-6, Figure 3 of the Mackinlay reference shows the interrelationship between the existing calendar and the subregion of the calendar. In Figure 3, Mackinlay shows that his calendar select an icon onto the certain range of the interval time from the existing calendar. An icon and the subregion of the calendar show the interrelationship. Figure 3 also shows the interrelationship is visually connecting between the subregion of the calendar and the portion of the calendar.

8. In regards to claim 7, Figure 3 of the Mackinlay reference shows the user selected the portion of the existing calendar from an icon.

9. In regards to claim 8, Figure 3 of Mackinlay reference shows that a first end representing a time corresponding to the top on the subregion of the calendar and a second end representing a time corresponding to the bottom on the subregion of the calendar.

10. In regards to claim 9, page 114 of the Mackinlay reference disclose the function of Call-Out class, which describes the correlation between subregion of the calendar and the existing calendar. Page 116 of the Mackinlay reference describes the new function of editing. The Call-Out class, subclass of Call-Out, and Figure 3 show how the editing function could perform modifying the portion of the calendar in response to modifying the subregion of the calendar, wherein the modification to the subregion of the calendar is the same as the modification to the portion of the existing calendar.

Art Unit: 2672

11. In regards to claim 13, the design of Mackinlay discloses two classes: Highlight and Call-Out, which having the same functionalities as drawing sheet module and timeline module. The Call-Out class can select a portion of an existing calendar to create the subregion in response to an action, and dynamically-link the subregion of the calendar and the calendar (Note page 114 Mackinlay.)

12. In regards to claim 14, Mackinlay describes the Call-Out class can add at least one data item from the portion of the calendar to the subregion of the calendar (Note page 114 and Figure 3 of Mackinlay.)

13. In regards to claim 15, Mackinlay describes Call-Out method to draw the shaded pointers from the calendar to the subregion of the calendar (Note page 114 Mackinlay.) Figure 3 of the Mackinlay reference clearly shows the interrelationship between the calendar to the subregion of the calendar to generating this subregion.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claim 10-12, 16-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mackinlay, and in view of Levinson.

Art Unit: 2672

16. In regards to claim 10, Mackinlay teaches a first calendar is dynamically-linked to a second calendar. Although Mackinlay teaches the editing function, he does not specifically teach how to modify the calendar information. However, Levinson teaches modifying the calendar when the event needs to add or remove, and determine which portion of the first calendar is affected. (Note col 4 line 13-55, col 10 line 40-67, and col 11 line 1-28 Levinson.) By using Levinson's modification, the first calendar could be modified and determined which portion of the calendar is affected. Once the modification is determined on the portion of the first calendar that related to the second calendar, the Call-Out class, which mentions in the Mackinlay reference, will modify the second of the calendar as the first calendar as shown in the Figure 3 of the Mackinlay reference. Although Mackinlay does not specifically explain how the modification on the calendar, he discusses the revision of editing functions (page 116 Mackinlay.) Since Levinson's method serves the purpose of modifying calendar, this modification would be one of suitable modifications for Mackinlay's dynamic linking calendar as well. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add the modification method of Levinson to Mackinlay's design because Mackinaly describes the revision of editing function (page 116 Mackinlay.)

With respect to claim 11, Levinson shows modifying the first calendar by adding the goal, events or tasks, which can either have only start time, stop time, or the period of time (Note col 6 line 18-50 Levinson.) In other words, he shows the step of modifying the first calendar comprises adding a data item from a group comprising a milestone

data item and a time interval data item. Further, Mackinlay's design also consists a milestone data item and a time interval data item (Figure 3 Mackinlay.) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Mackinlay's system in view of Levinson's modification, which is modifying the calendar comprising the step of adding a data item from a milestone data item or a time interval data item, because Mackinlay teaches the use of milestone and time interval data items (Figure 3.)

With respect to claim 12, Levinson shows that changing the plan on the first calendar prior update or edit the first calendar (page 10, lines 58-67, and page 11, lines 1-9.) Following the same rationale, basis, and motivation as applied to claim rejection 10, it would have been obvious to one having ordinary skill in the art at the time the invention was made to change a data item on the existing calendar prior to modify the calendar base on Mackinlay's system in view of Levinson's modifications because this provides flexibility to the user in scheduling the time period on the calendar.

17. In regards to claim 16, the same basis and rationale for claim rejection as applied to claim 10 and 13.

18. In regards to claim 17-21, Mackinlay discloses the claimed computer-implemented method except for a computer-readable storage device for storing a set of computer-executable instructions implementing a method for a computer –implemented method. However, Levinson describes the Central Processing Unit (CPU) may execute application programs stored in the memory, and he also suggests that the system for calendaring and planning with the invention may be a software application program and

Art Unit: 2672

data that could be stored in the memory (Note col 7 line 1-11 Levinson.) Based on Levinson's teaching and suggestion, Mackinlay's calendar could be modified to have a computer-readable storage device storing software application program for Mackinlay's design. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use the CPU/memory structure described by Levinson in Mackinlay's system because Mackinlay would require some computer system to provide his calendar system, such as software programming classes (page 112 and 114 Mackinlay.)

19. In regards to claim 22, the same basis and rationale for claim rejection as applied to claim 10 and 17.

Conclusion

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to a computer-implemented method for a dynamic expanded timeline in general:

U.S. Pat. No. 6,392,651 B1 to Stradley

U.S. Pat. No. 5,500,938 to Cahill et al.

U.S. Pat. No. 5,805,444 to Seymour

U.S. Pat. No. 6,600,501 B1 to Israel et al.

U.S. Pat. No. 6,369,840 B1 to Barnett et al.

U.S. Pat. No. 5,528,745 to King et al.

U.S. Pat. No. 5,874,965 to Takai et al.

U.S. Pat. No. 5,936,625 to kahl et al.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Liou whose telephone number is 571-272-8136. The examiner can normally be reached on 8:00AM ~ 5:00PM Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 571-272-7664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jonathan Liou

May 12, 2005


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5/26/05